

LOUISVILLE

DAILY DEMOCRAT.

VOLUME XIX.

Daily Democrat.

TERMS OF THE DAILY DEMOCRAT
TO THE COUNTRY.

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LOCAL AGENTS WANTED.

We desire to procure the services of a local agent in every Postoffice District in the State. Will our friends act or pecuniarily assist us? Believing that the circulation of the Democrat may be materially extended, we make this appeal to our friends in its behalf.

UNION CONVENTION!

At a meeting of the Union members of the Legislature, in the House of Representatives, on Monday evening, February 16th, 1863, on motion, Hon. Joseph R. Underwood was called to the Chair, and John B. Bruner, appointed Secretary.

After a free and full consultation, it is recommended to the Union Democracy of Kentucky, that they assemble in Convention, through their delegates, in the city of Louisville, on the 18th day of March next, and nominate suitable persons as candidates to fill the various State offices, to be chosen at the next August election. It is further recommended that the people meet, at some convenient time and place, in their respective counties, and appoint delegates to represent them in the Convention.

J. R. UNDERWOOD, Chairman.

John B. BRUNER, Secretary.

The late Congress were afraid to trust their doctrine that the President had the power to suspend the privilege of the writ of habeas corpus, or to arrest men without a warrant and hold them at pleasure. They could not trust the plea of military necessity, which might avail upon the theater of the war. They knew that in numerous cases no such plea could be urged. So they passed a bill indemnifying the President and all his officers for the past, and giving him the power to suspend the writ in the future.

This ought to end the debate as to who has power to suspend the privilege of this writ. The President's own party in Congress have assumed the power over his head.

They have, however, committed a blunder. If the President has the power, then the act of Congress is unconstitutional and void. It is an attempt of one department of the Government to usurp the power of another. This act must, therefore, assume that the power to suspend the writ belongs to Congress. If so, it is a power that can't be delegated to the President, which this bill attempts to do. The act does not suspend the writ; it authorizes the President to do it. The question comes up, can one department of the Government delegate to another a power that, by the Constitution, belongs to another?

The Confederate Congress gave Davis, their President, this power; but a court in Georgia has declared it unconstitutional and void, on the ground that the power belongs to Congress, and that it can't be delegated by that body to the President; and any court must decide, in our judgment.

The restriction on the military power may be very inconvenient sometimes. Jefferson thought so when Judge Marshall released Baldwin and Swartout promptly upon a writ of habeas corpus.

On the other hand, it is very inconvenient and dangerous to interfere with the liberty of the citizen. The plea of the necessity for self-defense is sufficient to cover all cases of justifiable arrests.

A man who commits homicide is *principia* guilty of murder; but if he can show a necessity for the act in self-defense, he is acquitted; so, we presume, the plea of necessity to the safety of an army, or to its success on the field, would acquit a General who restrained the liberty of the citizen.

For numerous arrests and imprisonments that have occurred no such plea can be urged. They have been made where there are no hostile armies, where neither the success nor safety of the army could be urged.

This act of Congress, then, virtually denies to the President the power to suspend the writ of habeas corpus. It assumes the right to delegate to the President the power to suspend the writ at his discretion, which is certainly an error, if the power belongs to Congress, which is assumed on the face of the act itself. Finally it assumes to deprive a citizen of his right of action for trespass, which he had under existing laws, by subsequent legislation.

We leave it to Congress and the courts to say if such legislation is constitutional.

The Editor of the Journal is not loyal, according to the present standard of the party that has been born in power and that still controls our armies.

Suppose the Editor's party denounces in a convention this whole policy, and the military conclude that it is, consequently, a disloyal act, and disperse it; what will the Editor say?

Indeed, the Journal has been pronounced a secession sheet by high authority in the present Administration, and the military may take it hard to suppose it. We defer to that in advance, and the Journal will demand, even at the risk of being inconsistent.

[Louisville Journal.]

Ah! indeed; one ox is gored this time. That makes a difference. The New York Tribune denounces the Journal as a quasi-Union sheet—only a *quasi*. In this very article the Journal denounces the party in power as "weak" and "guilty." In the opinion of this Administration, he is no better than the convention at Franklin. He is a *queri*, and so were they. When the unconditionals squelch him out, he will denounce it as very wrong. Loyal men would be justified in resisting his suppression by force.

The simple opinion of the powers that be is the only rule. As soon as that is adverse to our neighbor he will go up. He may plead a distinction between his case and the convention at Franklin; but it is a distinction without a difference. He will be held responsible and crushed out. He says it would be an open, palpable usurpation of military power. Loyal men would be justified in resisting such an act. So the members of the late convention thought; but holding ascription as the better part of value, as our neighbor will when his turn comes, they thought it, and went home.

The local newspapers of the land unanimously applaud the secession act.

[Nashville Union.]

As a matter of course, the Union means the Abolition newspapers.

LOUISVILLE, KENTUCKY: TUESDAY MORNING, MARCH 10, 1863.

NUMBER 150.

SCIENTIFIC.

The editor of the Journal labors hard upon the case of the dispersion of the late convention at Franklin. The Senate once condemned it by a vote of 14 to 12. The statement made to us was 19 to 12; but no matter, 14 to 12 will do. We are told the resolution was subsequently lost, and that twelve Union Senators were absent. How these twelve would have voted we do not know, and shall not make any point about it. It is false that any trick was intended. The man who offered this resolution was one of the best Union men in the State. His loyalty has never been doubted.

It will be recollect that the hall of the House of Representatives was refused by only four majority—40 to 36. Twenty-seven, or eight of the minority are firm, consistent Union men. We may add that we never heard a hint that the meeting would be disturbed; and we believe very few Union men had any expectation of the result. This charge of a trick will do very well, perhaps; but recollect: it is made against a large minority of the Union men in the Legislature, if not a majority, and the charge is too expensive for most purposes; and other substances, such as sulphate of copper and chloride of zinc, sulphate of iron (copperas), and even common salt, tend to preserve wood imperceptibly. All the various processes for preserving wood, cordage, &c., from decay by the use of chemicals from Mr. Kyan, take the term *Xyantine*.

The poorest, cheapest and most dangerous coal oils for use are the most beautiful and transparent. Many are deceived in purchasing coal oils for use.

The editor of the Journal opposes a case in which the majority may go for secession; and wants to know if we must surrender in the case. Is he afraid a majority may be inclined that way, and he, therefore, unwilling to try the experiment? For what other reason could any one be afraid of this convention, and call on the military to disperse it?

The whole point in the Journal's article is in assuming that the dispersed convention would be Secessionists; that its purpose was to plunge the State into rebellion.

We shall not controvert the point, for it is not important to the issue. Upon the face of the proceedings, as far as we there, it is not proof of it. The leading men of that convention deny it. They did not propose any action looking to Disunion. They wanted an armistice, in order, as they declared, to act on the military to disperse it.

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The editor of the Journal opposes a case

